

ZB# 04-13

**Eugene Hecht
(Econo Towing)**

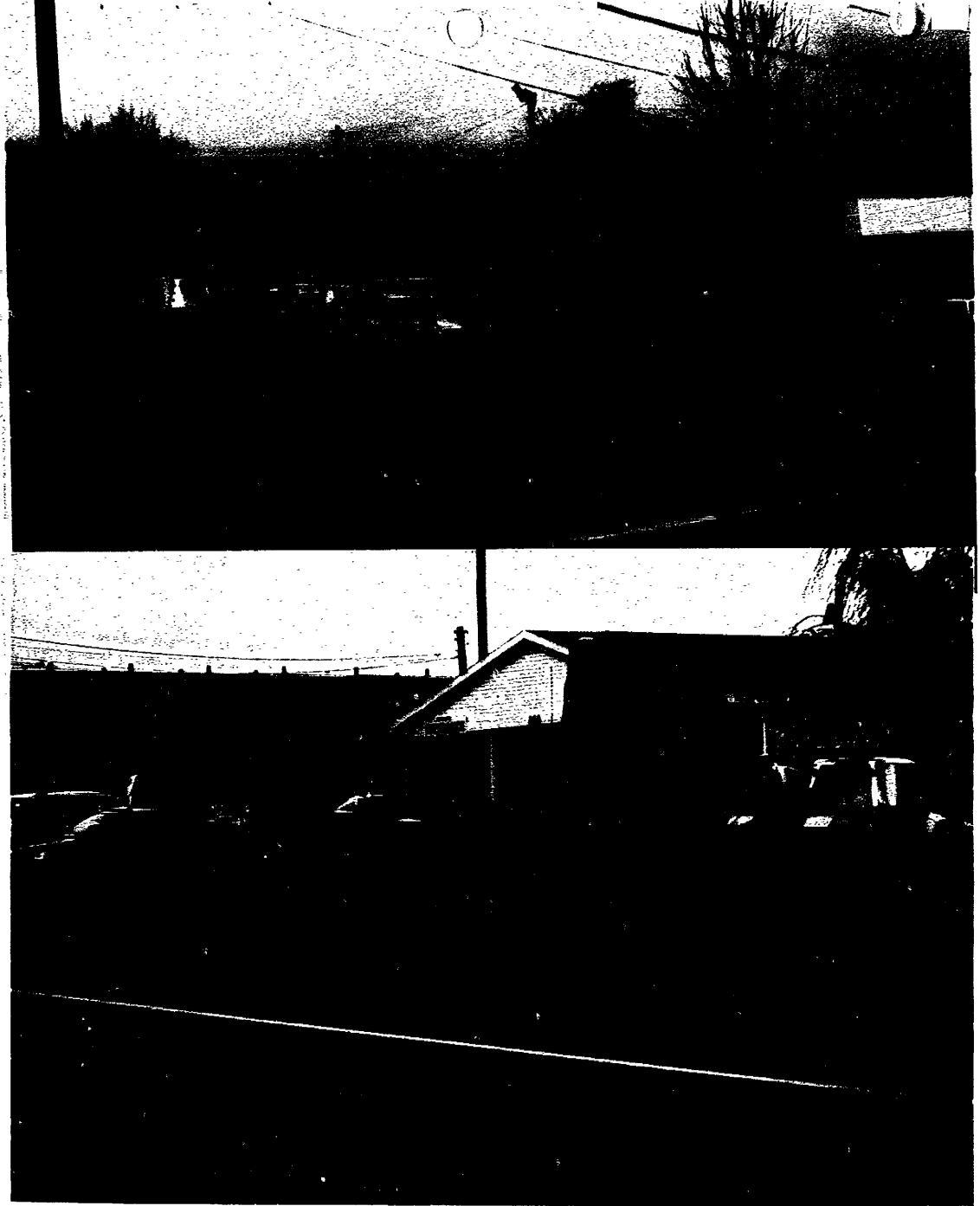
9-1-25.4

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 3-22-04

ZBA #04-13 HECHT (ECONO TOWING)
161 WINDSOR HWY - 9-1-25.4 (SIGN)

Gene Hecht - 568-0005





P.H. List Same as P.B. List

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 9-1-25.4

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

EUGENE HECHT

SIGN

CASE #04-13

WHEREAS, EUGENE HECHT, owner(s) of 161 Windsor Highway, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for One (1) additional free-standing sign - 48-18-H-(1)(A)(1) at 161 Windsor Highway in a C Zone

WHEREAS, a public hearing was held on March 22, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of commercial properties on a busy state highway.
 - (b) The commercial building has four (4) offices and has only three (3) signs. The proposed sign for the fourth building is a smaller sign.
 - (c) The sign will not be illuminated and will be the same in appearance as the existing signs.

- (d) The sign will not obstruct the view of motorists on the adjacent highway.
- (e) No trees or substantial vegetation will be removed in the building of this sign.
- (f) The sign will not cause the ponding or collection of water or divert the flow of water drainage.
- (g) The sign will not be on top of any easements including, but not limited to, water and sewer.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

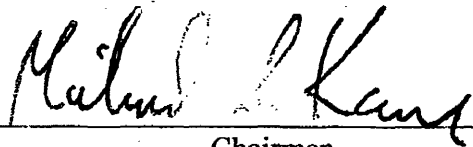
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for One (1) additional free-standing sign - 48-18-H-(1)(A)(1) at 161 Windsor Highway in a C Zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: March 22, 2004

A handwritten signature in cursive script, appearing to read "Michael J. Kemp", is written over a horizontal line.

Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

June 16, 2004

Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-13

Dear Mr. Hecht:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: **January 27, 2004**

APPLICANT: **Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: January 23, 2004

FOR : **Econo-Towing**

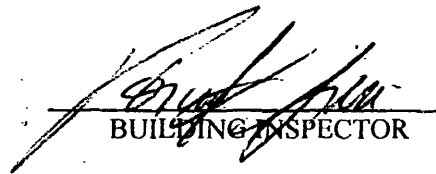
LOCATED AT: **161 Windsor Highway**

ZONE: C Sec/Blk/ Lot: **9-1-25.4**

DESCRIPTION OF EXISTING SITE: **Econo-Towing**

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. **Proposed 2nd free-standing sign will exceed max of one (1) permitted free-standing sign.**


BUILDING INSPECTOR

COPY

	PERMITTED	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: C USE: 48-18-H-(1)(A)(1)			
SIGN:			
FREESTANDING: One free-standing sign		2	1
HEIGHT:			
WIDTH:			
WALL SIGNS:			
TOTAL ALL SIGNS:			
FEET FROM ANY LOT LINE:			

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

JAN 23 2004

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 204-0063

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Eugene + Jann Hecht

Address

161 Windsor Hwy New Windsor NY

Phone #

845-568-0005

Mailing Address

Same as above

Fax #

845-568-0005

Name of Architect

Address

Phone

Name of Contractor

Eugene Hecht

Address 129 Meadow Hill Rd DBG NY Phone 845-568-0005
State whether applicant is owner, lessee, agent, architect, engineer or builder Owner
If applicant is a corporation, signature of duly authorized officer [Signature]
(Name and title of corporate officer)

1. On what street is property located? On the EAST side of Windsor Hill
(N, S, E or W)
and 500 feet from the intersection of Union Ave.
2. Zone or use district in which premises are situated Commercial Is property a flood zone? Y N X
3. Tax Map Description: Section 9 Block 1 Lot 25.7
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy Commercial b. Intended use and occupancy _____
5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other sign.
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front _____ Rear _____ Width 41 Depth 81 Height 81 No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
- Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost \$500⁰⁰ Fee \$50 ok # 1416

date 1/23/04

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4518
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

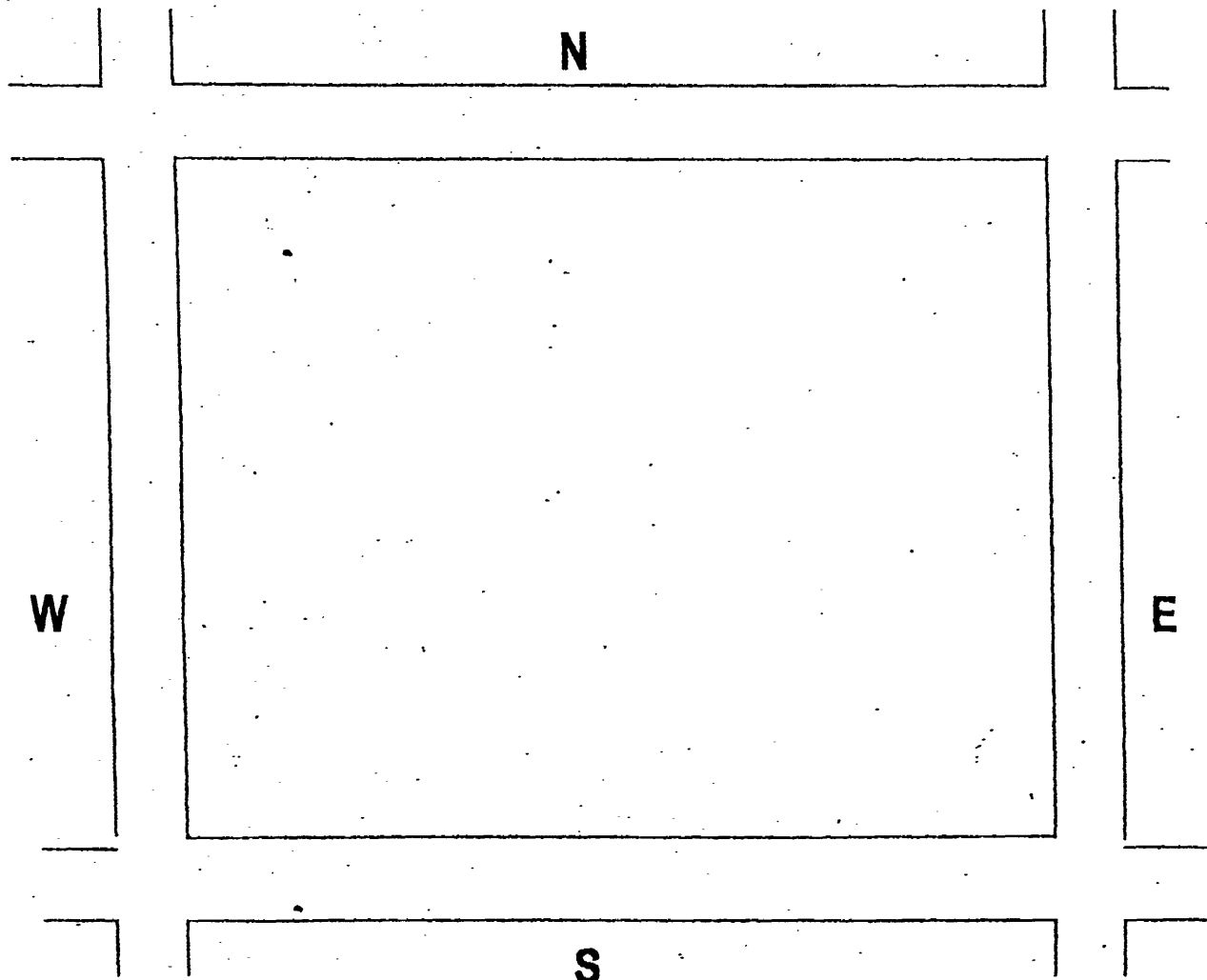
(Address of Applicant)

(Owner's Signature)

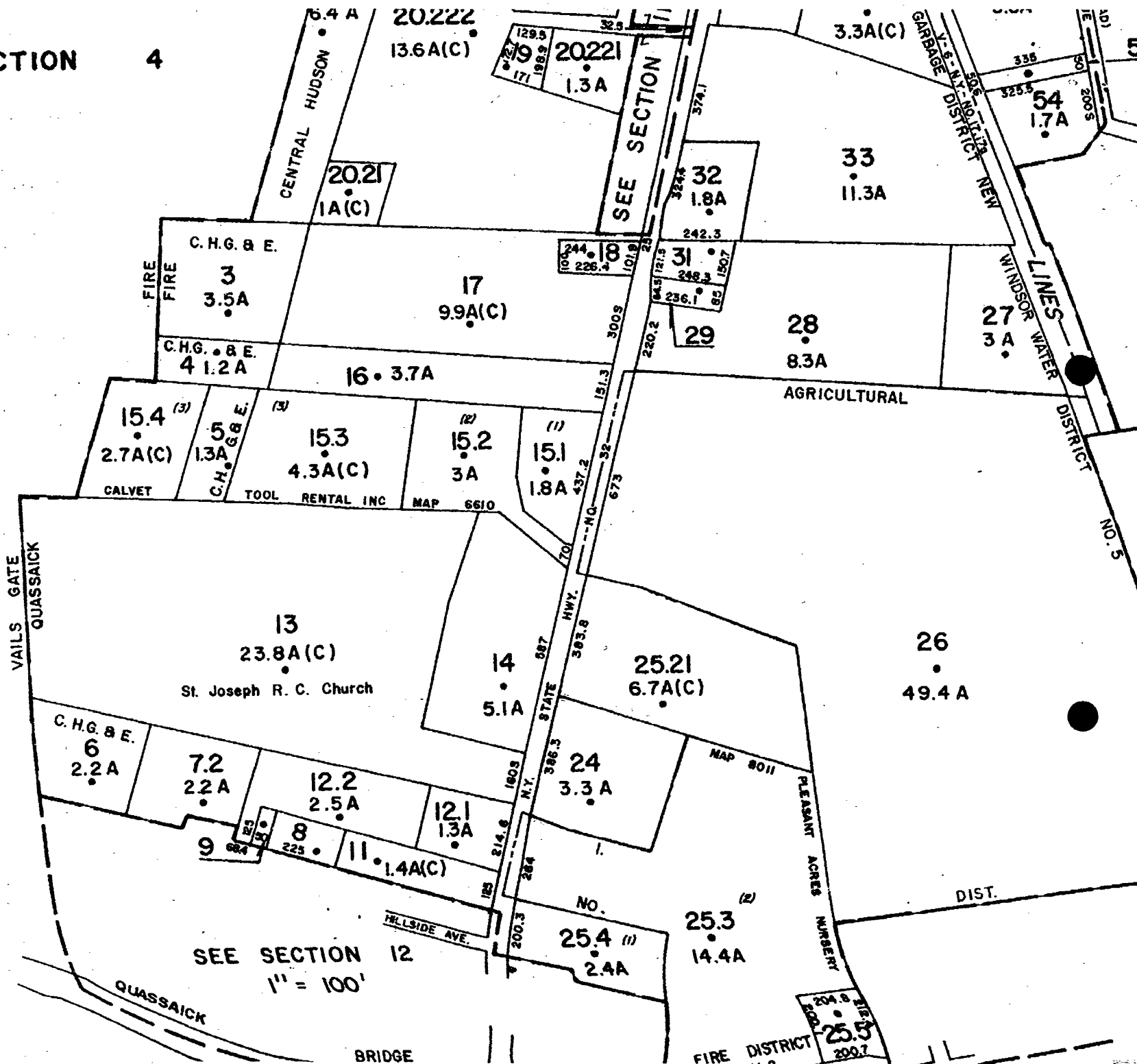
PLOT PLAN

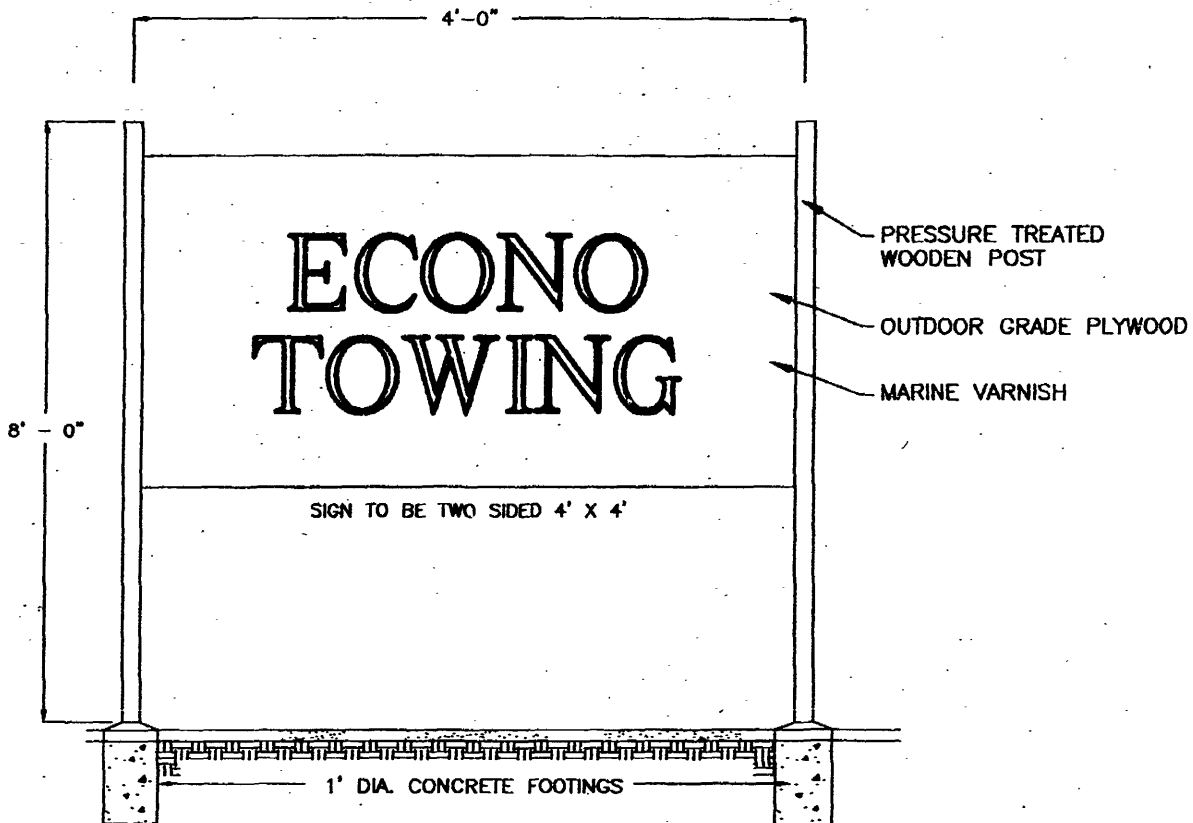
NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



4





SIGN DETAIL

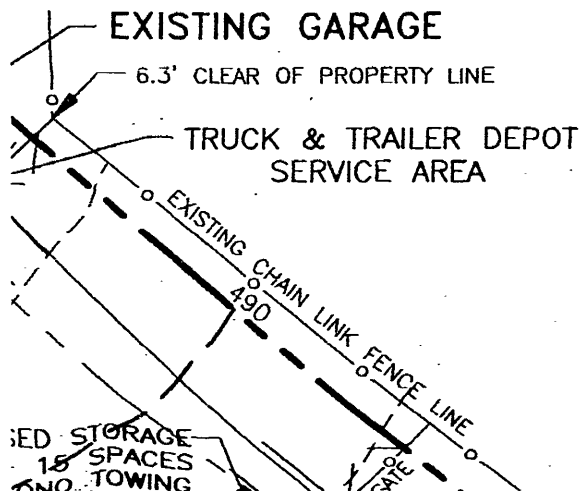
N.T.S.

NOTE: THE PROPOSED SIGN IS NOT TO BE ILLUMINATED

IN

(SNOW FILLED)

STORY BUILDING



LANDS NOW OR FORMERLY
HERBERT H. REDL
SECTION 9, BLOCK 1, LOT 25.3
LIBER 2667 PAGE 72
FILED MAP # 8011
LOT # 2

EUGENE HECHT (ECONO TOWING) #04-13

Mr. Eugene Hecht appeared before the board for this proposal.

MR. KANE: Request for one additional free-standing sign at 161 Windsor Highway in a C zone. Anybody in the audience for this particular meeting? I guess we narrowed it down. Okay, tell us what you want to do.

MR. HECHT: We have four offices in the building complex and only three signs. There's no room for the additional sign. We want to put up one additional sign, you have the photos that you requested from both sides, you can see it's a much smaller sign.

MR. KANE: Sign going to be illuminated?

MR. HECHT: No. The sign will be put up, it's the same as the existing sign as far as the stone work and the shrubs and everything will all be the same as the pre-existing sign so it conforms.

MR. MINUTA: Won't be internally or externally lit?

MR. HECHT: No, neither sign is.

MR. KANE: And in your opinion and looking at these photographs, there's no obstruction for motorists with that sign from the road?

MR. HECHT: No, it's a state setback that we have to maintain.

MR. KANE: Or pulling out from your premises?

MR. HECHT: None whatsoever. Matter of fact, the sign will probably be blocked on one side, you won't even be able to see it.

MR. KANE: Cutting down any trees or substantial shrubbery in the building of this?

MR. HECHT: No.

MR. KANE: Create any water hazards on runoffs?

MR. HECHT: No.

MR. KANE: Any easements running through where the sign's going to go?

MR. HECHT: None.

MR. KANE: At this point, I will open and close the public portion of the meeting and ask Myra on mailings.

MS. MASON: On the 9th day of March, I compared and mailed 31 addressed envelopes with the notice of public hearing and I had no responses.

MR. KANE: Any questions, gentlemen?

MR. MINUTA: No.

MR. REIS: No.

MR. RIVERA: None. Accept a motion?

MR. KANE: Yes, I will.

MR. RIVERA: That we grant Mr. Eugene Hecht the request for the one foot additional freestanding sign at 161 Windsor Highway.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA AYE

March 22, 2004

29

MR. REIS
MR. MINUTA
MR. KANE

AYE
AYE
AYE

March 8, 2004

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EUGENE HECHT (ECONO TOWING) #04-13

Mr. Eugene Hecht appeared before the board for this proposal.

MR. KANE: Request for one additional free-standing sign, 48-18-H(1)(A)(1) at 161 Windsor Highway in a C zone.

MR. KANE: Tell us what you want to do.

MR. HECHT: We have an office building, Eugene Hecht, H-E-C-H-T.

MR. KANE: Okay, tell us what you want to do.

MR. HECHT: I was here once before to get, I just bought the property and we had to get the sign there made legal from 1960 which we did, at that time, it was only three names on the sign, we kept the exact same size. Now we have four tenants in the building and we need one additional sign so we're proposing just one sign two pillars and a 4 X 4 sign, that's it, nothing else. It's surrounded by rocks and shrubs on both sides.

MR. KANE: Added to the existing sign or is it going to be a separate?

MR. HECHT: No, state says we can't move any closer to the road so it will be separate and freestanding.

MR. REIS: Where is, where would this be again in relation to your existing sign?

MR. HECHT: On the other side of the other driveway, this is the driveway coming in, so it would be on the other side. This is where we are now, here's the edge of the pavement, that's our existing sign and that's the proposed right there.

March 8, 2004

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MR. KANE: Any illumination on the sign?

MR. HECHT: No.

MR. KANE: How high off the ground is this going?

MR. HECHT: Pole's going to be set in the ground only 8 feet, sign's only 4 feet by 4 feet.

MR. KANE: For the public hearing I'm requesting that you bring in some pictures showing the view from 32 heading in both directions and want to make sure that there's no obstruction of vision on that.

MR. HECHT: Yes.

MR. KANE: Michael, any questions? Anything further at this point?

MR. REIS: No.

MR. MINUTA: I'm fine.

MR. RIVERA: No questions.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I'll make a motion that we set up Mr. Hecht for his requested variance for a freestanding sign at 161 Windsor Highway.

MR. MINUTA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MINUTA	AYE

March 8, 2004

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MR. KANE
MR. REIS

AYE
AYE

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: MAY 12, 2004
SUBJECT: ESCROW REFUND 04-13

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 397.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-13

NAME & ADDRESS:

**Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.05-12-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-13 TYPE: AREA

APPLICANT Name & Address:

**Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553**

TELEPHONE: 568-0005

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>9714</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 9713



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$5.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	<u> </u> PAGES	\$ <u> </u>	\$ <u> </u>
PUBLIC HEARING:	<u>3</u> PAGES	\$ <u>16.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u> PAGES	\$ <u> </u>	\$ <u> </u>
TOTAL:		\$ <u>33.00</u>	\$ <u>70.00</u>



ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 103.00

AMOUNT DUE: \$

REFUND DUE: \$ 397.00



RESULTS OF Z.B.A. MEETING OF:

March 22, 2004

PROJECT: Eugene Hecht (Econo Touring)

ZBA #

04-13

P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

PUBLIC HEARING: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

NEGATIVE DEC: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

APPROVED: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) S)

VOTE: A N

RIVERA

MCDONALD

REIS

MINUTA

KANE

CARRIED: Y N

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES

✓

VARIANCE APPROVED:

M) RY S) RS VOTE: A 4 N 0.

RIVERA

~~MCDONALD~~

REIS

MINUTA

KANE

A

A

A

A

CARRIED: Y ✓ N

No easements.

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

EUGENE HECHT (ECONO TOWING)

AFFIDAVIT OF
SERVICE
BY MAIL

#04-13

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 9TH day of **MARCH**, 2004, I compared the 31 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

10th day of March, 2004

J. P. Gallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 04-13

Request of EUGENE HECHT (Econo Towing)

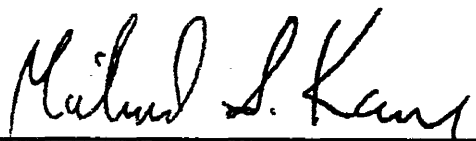
for a VARIANCE of the Zoning Local Law to Permit:

**Request for One (1) additional free-standing sign
being a VARIANCE of Section - 48-18-H-(1)(A)(1)**

for property located at: 161 Windsor Highway, New Windsor, NY in a C Zone

known and designated as tax map Section 9 Block 1 Lot 25.4

**PUBLIC HEARING will take place on March 22, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

February 3, 2004

Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553

Re: 9-1-25.4 ZBA# 04-03

Dear Mr. Hecht,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced properties.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's office.

Sincerely,

J. Todd Wile, IAO
Assessor

JTW/tmp
Attachments

CC: Myra Mason, ZBA

4-2-21.12
RPA Associates, LLC
c/o AVR Realty Company
1 Executive Blvd
Yonkers, NY 10701

9-1-11
Avgush, Ofer
152 Route 202
Garnerville, NY 10923

9-1-12.1
BJS Holding, LLC
38 West 32nd Street – Room 1201
NY, NY 10001

9-1-12.2
Talmadge, Angelina
c/o Colandrea, Bernie
13 Veronica Avenue
New Windsor, NY 12553

9-1-13 & 9-1-14
Roman Catholic Church of St. Joseph
6 St. Joseph Place
New Windsor, NY 12553

9-1-24
Kim, Doo Joseph
425 Angola Road
Cornwall, NY 12518

9-1-25.3
Redl, Herbert H
80 Washington Street – Suite 310
Poughkeepsie, NY 12601

9-1-25.5
Williams, Bruce I & Johanna
268 Union Avenue
New Windsor, NY 12553

12-1-16
Mahood, Philomena Guariglia
20 Hillside Avenue
New Windsor, NY 12553

12-1-18.1
Acquaro, Samuel Jr. & Eric
Acquaro, Life Estate - Samuel J.
16 Hillside Avenue
New Windsor, NY 12553

12-1-19
Guercio, Susan
34 Post Road
Monroe, NY 10950

12-1-24
Antonelli, Louis J & Kathleen
3 Hillside Avenue
New Windsor, NY 12553

12-1-27 & 12-1-49
Antonelli, Frank P Sr. & John R
4 Cedar Court
Palm Coast, FL 32137

12-1-28 & 12-1-29
Cubito, Joseph F & Rose Ann
15 Hillside Avenue
New Windsor, NY 12553

12-1-30
DeLeonardo, Joseph & Carmela
1647 Roland Avenue
Wantagh, NY 11793

12-1-48
Central Hudson Gas & Electric Corp.
284 South Avenue
Poughkeepsie, NY 12602

12-2-1
Orwest Realty Corp.
c/o DB Co. – Dairy Mart Store # 619
P.O. Box 9471
Providence, RI 02940

12-2-2 & 12-2-3
Sarinsky, David
298 Union Avenue
New Windsor, NY 12553

12-2-4
Sarinsky, Gertrude
294 Union Avenue
New Windsor, NY 12553

12-2-5
Sarinsky, David & Jacie
298 Union Avenue
New Windsor, NY 12553

24-1-1, 24-1-2, 24-1-3, 24-1-4, 24-1-24, &
24-1-25
Baez, Amelia
175 Windsor Highway
New Windsor, NY 12553

24-2-1
Thiele, Joan A
222 Daniher Avenue
New Windsor, NY 12553

24-2-2
Martinez, Jeanette P & Joseph Anthony
224 Daniher Avenue
New Windsor, NY 12553

24-2-18
McKee, Donald S Jr. & Diane Marie
227 James Street
New Windsor, NY 12553

24-3-1
Malinowski, Genevieve
293 Union Avenue
New Windsor, NY 12553

24-3-2.2
Millspaugh, Margaret L
226 Spruce Street
New Windsor, NY 12553

24-3-34
Mezzatesta, Frank & Darleen J
225 Daniher Avenue
New Windsor, NY 12553

24-4-1.1
Hartfield, Patricia M & Richard W
285 Union Avenue
New Windsor, NY 12553

24-4-3
Jensen, James C Sr. & Anna D
281 Union Avenue
New Windsor, NY 12553

24-4-4
DelGatto, Johanna & Vincent
279 Union Avenue
New Windsor, NY 12553

12-1-23

Avonsh, Ofer
4 Hillside Avenue

New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

March 9, 2004

Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-13

Dear Gene:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

161 Windsor Highway
New Windsor, NY

is scheduled for the March 22, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF:

March 8, 2004PROJECT: Eugene HechtZBA # 04-13
P.B.#

USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) Rs S) MVOTE: A 4 N 0RIVERA A
~~MCDONALD~~ A
REIS A
MINUTA A
KANE ACARRIED: Y 4 ✓ N 0

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED:

M) _____ S) _____ VOTE: A _____ N _____.

RIVERA _____
MC DONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____.

No IlluminationNeed Pictures of sign + location

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#175-2004

02/20/2004

Econo Towing
161 Windsor Highway
New Windsor, NY 12553

Received \$ 150.00 for Zoning Board Fees, on 02/20/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 02-18-2004

FOR: **ESCROW 04-13**

FROM: **Econo Towing (HECHT)**


161 Windsor Highway

New Windsor, NY 12553

CHECK NUMBER: **9713**

AMOUNT: **500.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

2/20/04

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

February 19, 2004

Eugene Hecht
161 Windsor Highway
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-13

Dear Mr. Hecht:

This letter is to inform you that you have been placed on the March 8th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

161 Windsor Highway
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO. IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

*** * MUST READ AND SIGN * ***

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

SIGNATURE

DATE

1-29-04

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST - ONE MEETING PER MONTH ONLY)



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

1-30-04

Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. Owner Information:

EUGENE HECHT

(Name)

Phone Number: (845) 568-0005

Fax Number: (845) 568-0004

161 Windsor Hwy New Windsor NY 12553

(Address)

II. If Moving to New Address, please list forwarding address for return of escrow:

(Name)

Phone Number: ()

Fax Number: ()

(Address)

III. Attorney:

(Name)

Phone Number: ()

Fax Number: ()

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

(Name)

Phone Number ()

Fax Number ()

(Address)

V. Property Information:

Zone: C Property Address in Question: 161 Windsor Hwy New Windsor NY 12553

Lot Size: 102.662 Sq Ft Tax Map Number: Section 9 Block 1 Lot 25.4

a. What other zones lie within 500 feet? R & HC

b. Is pending sale or lease subject to ZBA approval of this Application? no

c. When was property purchased by present owner? 2003

d. Has property been subdivided previously? no If so, When:

e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? no

f. Is there any outside storage at the property now or is any proposed? none

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

VARIANCE IS for a small sign which would allow the general public looking to locate this particular business a means of doing so. Windsor Hwy being a main road in the town has lots of traffic and vehicles driving excessively slow looking for a business set back from the highway could possibly cause an accident or at the very least cause a traffic back-up. The sign would allow visibility for the business and for anyone looking to locate same.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section 48-18-jt-11(A)(1), Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1			32 SQ FT sign with 2
Sign #2			4x8 posts.
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

Sign is for a tenant at present we do not have room
on pre-existing sign for their name - the sign will
be 4'x4' double sided mounted on 2 4x8 sign posts
with shrubs on either side and a rock wall around
it (no lights on sign)

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs _____?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____

- (b) Describe in detail the proposal before the Board:

To allow the installation of an additional
sign 4'x4' with 2 4x8 mounting posts

PLEASE NOTE:

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.**

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
 - ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
 - ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
 - ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

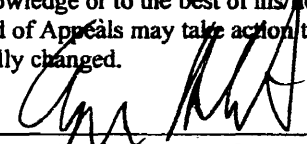
) SS.:

COUNTY OF ORANGE)

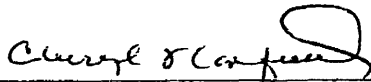
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

4th day of February 2004.


Owner's Signature (Notarized)

EUGENE HECHT
Owner's Name (Please Print)


Signature and Stamp of Notary

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6073319
Commission Expires April 22, 2006
Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐